

IN THE UNITED STATES PATENT AND TRADEMARK



re Application of:
SUSAN G. KATZ

SERIAL NO. 10/647,618

FILED: August 25, 2003

FOR: A DECORATIVE EXTERNAL
CURTAIN ASSEMBLY AND
SYSTEM FOR EXTERIOR
DECORATION

: ART UNIT: 3634
:
: EXAMINER: Blair M. Johnson
:
: I hereby certify that this correspondence
is being deposited with the United States
Postal Service as first class mail in an
envelope addressed to: Commissioner for
Patents, Box 1450, Alex, VA 22313, on
this date of:
:
: Oct. 27, 2004

Susan G. Katz
Susan G. Katz

RULE 132 AFFIDAVIT

ASSISTANT COMMISSIONER FOR PATENTS AND TRADEMARKS
WASHINGTON, D. C. 20231

SIR: I, Susan G. Katz, declare that:

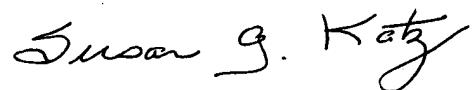
- 1) I am currently work in the textile industry as a production pattern maker.
- 2) I have been working in the textile industry since 1989 and have considerable experience with regard to the use of textiles and fabrics as articles of manufacture.
- 3) I have reviewed the cited prior art noted by the Examiner in the Office Action dated August 20, 2004 issued in connection with the above-identified patent application.
- 4) I have reviewed the Bussert and Phillip patents which both disclose the provision of an interior curtain attached to an interior window using VELCRO™ strips.

- 5) Bussert and Phillips both fail to teach or disclose the provision of attaching an external curtain to the external façade of the building to provide a system of exterior design as disclosed and claimed by my application.
- 6) Further both Bussert and Phillips fail to suggest a system of exterior design including the provision of attaching an external curtain to the external façade of the building using complementary engageable fastener strips comprised of VELCRO because exterior curtains are subject to atmospheric weather conditions such as wind and rain forces that do not in any way effect a curtain in the interior of a building.
- 7) In my experience the idea that VELCRO™ tape could be effectively used to attach a curtain to the outside of a building where the curtain is subjected to harsh environmental conditions is unexpected because the general opinion in the art is that VELCRO would form too weak a bond to effectively hold the banner or curtain to the exterior of the building when harsh environmental conditions such as wind and rain are encountered by the exterior curtain.
- 8) In my opinion there are no suggestions or teachings in Bussett or Phillips, which merely relating to the use of VELCRO to attach an interior curtain to the interior of a building, where the interior curtain does NOT encounter harsh atmospheric forces, make obvious the presently claimed invention which discloses the use of VELCRO to attach an exterior curtain, which can be subject to harsh atmospheric condition, to the exterior of a building.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the

Application/Control Number 10/647,618 Art Unit:3634
knowledge that willful false statements and the like are
punishable by fine or imprisonment, or both, under 18 U.S.C.
1001, and may jeopardize the validity of the application or any
patent issuing continuation-in-part application.

Respectfully Submitted



Susan G. Katz

October 29, 2004